PATENT / DOCKET NO. 16356.686 (DC-03130) Customer No. 000027683

Group Art Unit: 2122

Examiner: Romano, John J.

2/22

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: *๛๛๛๛๛๛๛๛๛* Peppers, Cherita et al. 10/087,384 Serial No.: Filed: March 1, 2002 For: METHOD AND APPARATUS FOR **AUTOMATED OPERATING SYSTEMS**

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

UPGRADE

Sir:

In response to the Office action dated January 13, 2005, enclosed are the following regarding the aboveidentified patent application:

- 1. Amendment and Request for Reconsideration Under 37 CFR §1.111; and
 - 2. Transmittal letter.
- Small entity status of this application has been established by a previously submitted verified statement under 37 C.F.R. [] §§ 1.9 and 1.27.
- No additional fee is required. [X]

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2) (Col. 3)		SMALL ENTITY			OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	<u>OR</u>	RATE	ADDIT. FEE
TOTAL	22	minus	40	= 0	x 25	\$	OR	x 50	\$
INDEP	2	minus	4	= 0	x 100	\$	OR	x 200	\$
[]	FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			DEP. CLAIM	+180	\$	OR	+ 360	\$
					TOTAL	\$	OR	TOTAL	\$

' If	the entry ir	Col. 1 is	less than	the entry in	Col. 2,	write "0" ir	1 Col. 3.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

j	Please charge Deposit Account No. [08-1394 H&B] in the amount of \$
.]	A check in the amount of \$ is attached.
[X]	The Commissioner is hereby authorized to charge payment of the following fees associated with this
	communication or credit any overpayment to Deposit Account No. [08-1394 H&B, Order No. 16356.686
	(DC-03130)].

If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

[X] [] []	•	under 37 C.F.R. § 1.16 for the presentation of extra claims. rocessing fees under 37 C.F.R. § 1.17. nclosed.
Dated: 4-12- HAYNES AND BOONE 901 Main Street, Suite 3 Dallas, Texas 75202 3 Telephone: 512/867-84 Facsimile: 214/200-085 ipdocketing@haynesbo A-176197_1.DOC	, L.L.P. 3100 789 07 53	Respectfully submitted, Lames R. Bell Registration No. 26,528 I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. On Date Signature NISH Typed or Printed name of person signing Certificate



Docket No.: 16356.686 (DC-03130)

Customer No. 000027683

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Peppers, Cherita et al.

Serial No.: 10/087,384

Filed: March 1, 2002

Examiner: Romano, John J.

Group Art Unit: 2122

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METHOD AND APPARATUS FOR

AUTOMATED OPERATING SYSTEMS §

UPGRADE

AMENDMENT AND REQUEST FOR RECONSIDERATION UNDER 37 CFR 1.111

Mail Stop Amendment **Commissioner for Patents** P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated January 13, 2005, please amend the above-identified application as follows:

Docket No.: 16356.686 (DC-03130) Customer No. 000027683

INTRODUCTORY COMMENTS

Claims 1-10, 13, 14-23 and 26 are amended, claims 11, 12, 24, 25 and 27-40 are cancelled and claims and claims 1-10, 13, 14-23 and 26 remain in the application. Re-examination and reconsideration of the application, as amended, are requested.